

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

ROGER TANNER,

Plaintiff,

Case No. 3:94 CV 7202

-vs-

AMENDED ORDER

KEVINMCDONALD, et al.,

Defendant.

KATZ, J.

This case was commenced by the Plaintiff on April 22, 1994 and, after granting default judgment, this Court issued a Memorandum Opinion and Order on January 21, 1998 granting the Plaintiff, Roger Tanner, a period of sixty days to permit him to submit additional documentation in support of damages; on March 27, 1998 this Court entered a Memorandum Opinion and Order finding that the Plaintiff had not presented evidence to substantiate his claim of \$697,825.00 in damages and closed this case. That order indicated that the Plaintiff had not established entitlement to damages against Defendant William Johns.

On July 21, 2005, Mr. Tanner filed a "Notice of Default Judgment with Affidavit Attached" (Doc. No. 193). On July 28, 2005 this Court entered a marginal entry denying the motion of July 21,

2005 as moot. On August 5, 2005 this Plaintiff again filed a document delineated as a “Default Judgement”, which requests the Clerk of this Court to enter a default judgment, which default was previously entered, and which document includes an “Affidavit of Accounting of Damages”, in the total amount of \$5,456,245.00. (Doc. No. 195). This Court will not enter that order and will treat the document filed as “Default Judgement” as a Motion and will deny that motion.

Further, the Court stresses that this case was closed on March 27, 1998, over seven years ago, and the Court will not accept any additional filings in this matter and directs the Clerk of Courts to refuse to accept any such filings, except a notice of appeal to the Sixth Circuit Court of Appeals.

IT IS SO ORDERED.

S/ David A. Katz
DAVID A. KATZ
SENIOR U. S. DISTRICT JUDGE